



IT IS HEREBY ADJUDGED and DECREED that the below described is SO ORDERED.

Dated: January 22, 2019.

*Craig A. Gargotta*

CRAIG A. GARGOTTA  
UNITED STATES BANKRUPTCY JUDGE

IN THE UNITED STATES BANKRUPTCY COURT  
FOR WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

IN RE PRIMERA ENERGY, LLC  
DEBTOR.

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CASE NO. 15-51396-CAG  
Chapter 11

FREDERICK PATEK, ET AL.  
Plaintiffs,

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v.

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BRIAN A. ALFARO, PRIMERA ENERGY,  
LLC, ALFARO OIL AND GAS, INC.,  
ALFARO ENERGY, LLC, KING MINERALS,  
LLC, SILVER STAR  
RESOURCES, LLC, 430 ASSETS, LLC, A  
MONTANA LLC, KRISTI MICHELLE  
ALFARO; BRIAN AND KRISTI ALFARO  
AS TRUSTEES OF THE BRIAN AND  
KRISTI ALFARO LIVING TRUST, and  
ANA AND AVERY'S CANDY ISLAND, LLC

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Adv. Pro. No. 15-05047-CAG

Defendants.

**ORDER REGARDING BENCH WARRANT ISSUED ON JANUARY 17, 2019**

On January 18, 2019, the Court conducted a hearing on the Motion to Quash or Rescind Bench Warrant (the “Motion to Quash”) [Dckt. No. 528] filed by Brian Alfaro, which requested that the Court quash or rescind the Bench Warrant that this Court issued on January 17, 2019 (the “Bench Warrant”) [Dckt. No. 527] following the filing of the Status Report Submitted by J. Scott Rose, as Receiver [Dckt. No. 525]. Based upon the Court’s ruling as stated on the record at the hearing on the Motion to Quash, the Court finds that the following order should be entered.

ACCORDINGLY, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED AS FOLLOWS:

1. Brian Alfaro and Kristi Alfaro, each in their individual capacity, shall fully comply with all obligations and duties imposed upon him or her, or otherwise required by the Amended Order (I) Order Appointing J. Scott Rose as Receiver Pursuant to Tex. R. Civ. Prac. & Rem. Code § 31.002 [Dckt. No. 487] and (II) Order on Amended Motion for Turnover and Appointment of Receiver [Dckt. No. 483] (the “Receivership Order”) [Adv. Dckt No. 497] on or before 5:00 p.m. prevailing Central standard time on January 28, 2019.

2. In conjunction with fully complying with all obligations and duties imposed upon him or otherwise required by the Receivership Order, and, also on or before 5:00 p.m. prevailing Central standard time on January 28, 2019, Brian Alfaro and Kristi Alfaro shall each provide to counsel for the Receiver a separate affidavit in a form acceptable to the Receiver attesting under penalty of perjury to having, to the best of his or her knowledge, fully complied with all obligations and duties imposed upon him or her by the Receivership Order, including, without limitation, having diligently searched for, collected, and delivered to his or her counsel for production to the Receiver all documents, funds, personal property, and other materials within his or her knowledge, possession, custody, or control as required by the Receivership Order.

3. By January 29, 2019, the Receiver shall file with the Court a status report as to the compliance of each of Brian Alfaro and Kristi Alfaro with the Receivership Order.

4. If Brian Alfaro fails to fully comply with this order, the Court will impose the Bench Warrant.

5. If Kristi Alfaro fails to comply with this order, the Court may issue a bench warrant.

6. Imposition of the Bench Warrant is hereby held in abeyance pending further order of the Court.

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SUBMITTED BY:

/s/ Jennifer F. Wertz

Jennifer F. Wertz

State Bar No. 24072822

Jackson Walker LLP

100 Congress Avenue, Suite 1100

Austin, TX 78701

(512) 236-2247 – Direct Dial

(512) 391-2147 – Direct Fax

Email: [jwertz@jw.com](mailto:jwertz@jw.com)

**COUNSEL FOR J. SCOTT ROSE, AS RECEIVER**